

Form 4A - Abbreviated Notice of Resource Area Delineation (ANRAD)

Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40)

Instructions for Completing Application

Form 4A - Abbreviated Notice of Resource Area Delineation (ANRAD)

Please read these instructions before completing the Abbreviated Notice of Resource Area Delineation application form (WPA Form 4A) for more information on certain items that are not self-explanatory.

Introduction

The Abbreviated Notice of Resource Area Delineation (WPA Form 4A) provides a procedure for an applicant to confirm the precise boundaries of Bordering Vegetated Wetlands (BVW). The applicant also may use WPA Form 4A to seek confirmation of the boundaries of other resource areas which have been delineated, if the other resource area boundaries are identified on the plans which accompany the BVW boundary delineation.

The filing of an Abbreviated Notice of Resource Area Delineation is optional. However, any work within an area subject to the jurisdiction of the Wetlands Protection Act may not proceed until either a Negative Determination of Applicability or a final Order of Conditions has been issued by the Conservation Commission or the Department of Environmental Protection. If an applicant is uncertain as to whether the Wetlands Protection Act applies to a particular area of land or to specific work planned on a particular area of land, he or she may file a Request for Determination of Applicability (WPA Form 1) instead of WPA Form 4A. Also, an applicant may file a Notice of Intent (WPA Form 3) or, in limited circumstances, an Abbreviated Notice of Intent (WPA Form 4) and, as part of that permitting process, seek confirmation from the Conservation Commission of delineated wetland resource area boundaries.

The applicant is responsible for providing the information required for the review of this application to the issuing authority (Conservation Commission or the Department of Environmental Protection). The submittal of a complete and accurate description of the site and project will minimize requests for additional information by the issuing authority which may result in an unnecessary delay in the issuance of an Order of Resource Area Delineation.

The issuing authority also may require that supporting materials be prepared by other professionals including, but not limited to a registered landscape architect, registered land surveyor, environmental scientist, geologist, or hydrologist when the complexity of the proposed work warrants specialized expertise.

To complete this form, the applicant should refer to the Wetlands Protection Act regulations (310 CMR 10.00) which can be obtained from the Department's web site at www.mass.gov/dep. Regulations are available for viewing at public libraries and county law libraries across the state, as well as at the Department's Regional Service Centers. Regulations also are available for sale from the State House Bookstore (617.727.2834) and State House Bookstore West (413.784.1378).

Completing WPA Form 4A

Section A: General Information

Item 4. Project Location. Include a street address (if one exists) and, if known, the Assessors map or plat number, the parcel number, and the lot number. If the lot subject to the Abbreviated Notice of Resource Area Delineation does not contain a structure with a numbered street address or the lot is being subdivided, the map or plat, parcel, and lot numbers must be included.

Section B: Area Delineated

Item 1. Bordering Vegetated Wetlands (BVW). Indicate the length of the delineated BVW boundary.

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Item 2. Method of Determination. Use one of the methods indicated in Item 2 to determine the boundaries of BVW. On the form, check all the methods that are used to determine the boundary. These methods are discussed in the wetlands regulations at 310 CMR 10.55(2)(c). When undertaking BVW delineations, whether by vegetation alone or by vegetation and other indicators of wetland hydrology, applicants are encouraged to use the Department's BVW Handbook: *Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act* (1995). This document is available for purchase from the State House Bookstore (617.727.2834) and State House Bookstore West (413.784.1378). The Department encourages applicants to complete the BVW Field Data Form contained in the handbook and submit it with the Abbreviated Notice of Resource Area Delineation. If detailed vegetative assessments are not required for a particular site, the reasons should be noted on the Field Data Form.

Item 3. Other Resource Areas. Applicants may use WPA Form 4A to confirm the boundaries of other resource areas when delineated in addition to the BVW. To determine boundaries of other wetland resource areas (including the Riverfront Area), consult the wetland regulations, subsection (2), "Definitions, Critical Characteristics, and Boundaries" for each resource area covered under 310 CMR 10.54 - 10.58.

Section C: Additional Information

All listed information must be provided along with the Abbreviated Notice of Resource Area Delineation.

Plans should be of adequate size, scale, and detail to completely and accurately describe the site and the resource area boundaries. The following guidelines are provided to encourage uniformity.

Sheet Size:

- Maximum 24" x 36"
- If more than one sheet is required to describe the proposed site and/or proposed work, provide an additional sheet indexing all other sheets and showing a general composite of all work proposed within the Buffer Zone and areas subject to protection under the Act

Scale:

- Not more than 1" = 50'
- If plans are displayed, include graphical scales

Title Block:

- Included on all plans
- Located at the lower right hand corner, oriented to be read from the bottom when bound at the left margin
- Include original date plus additional space to reference the title and dates of revised plans

Section D: Fees

There is an application fee for the Abbreviated Notice of Resource Area Delineation. The filing fee equals \$2 per linear foot of delineated Bordering Vegetated Wetland, with a maximum of \$200 for a single family house and a maximum of \$2,000 for any other activity. There is no additional fee for delineations of other resource areas. The city/town share of the fee is the first \$25 plus half of the remaining total fee. The state share is half the total fee in excess of \$25.

Complete pages 1 and 2 of the ANRAD Wetland Fee Transmittal Form and send them, along with a check for the state share of the filing fee, payable to the *Commonwealth of Massachusetts*, to DEP, Box 4062, Boston, MA 02211. Review of the Abbreviated Notice of Resource Area Delineation cannot begin until the fee is received.

No fee shall be assessed for projects of the federal government, the Department of Environmental Protection, or cities and towns of the Commonwealth.

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In addition, a notice of the application must be placed in a local newspaper, and published at least five days prior to the hearing, at the applicant's expense. Please contact your Conservation Commission regarding the procedure for public newspaper notice.

Section E: Signatures/Submittal Requirements

The property owner (if different from the applicant) and the applicant's representative (if any) must sign the Abbreviated Notice of Resource Area Delineation.

Two copies of the completed Abbreviated Notice of Resource Area Delineation (WPA Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

Two copies of the completed Abbreviated Notice of Resource Area Delineation (WPA Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and a *copy* of the state fee check must be sent to the appropriate DEP Regional Office by certified mail or hand delivery. The Department copies must be sent at the same time as the application submission to the Conservation Commission. Failure by the applicant to send copies in a timely manner may result in dismissal of the Abbreviated Notice of Resource Area Delineation.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
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Provided by DEP:

DEP File Number

Document Transaction Number

City/Town

A. General Information

1. Project Location (**Note:** electronic filers will click on button for GIS locator):

a. Street Address

b. City/Town

c. Zip Code

Latitude and Longitude, if Known:

d. Latitude

e. Longitude

f. Assessors Map/Plat Number

g. Parcel /Lot Number

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



2. Applicant:

a. First Name

b. Last Name

c. Company

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

3. Property owner (if different from applicant):

☐ Check if more than one owner

a. First Name

b. Last Name

c. Company

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

a. Firm

b. Contact Person First Name

c. Contact Person Last Name

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

5. Total WPA Fee Paid (from ANRAD Wetland Fee Transmittal Form):

a. Total Fee Paid

b. State Fee Paid

c. City/Town Fee Paid

Fees will be calculated for online users.



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B. Area(s) Delineated

1. Bordering Vegetated Wetland (BVW)

Linear Feet of Boundary Delineated

2. Check all methods used to delineate the Bordering Vegetated Wetland (BVW) boundary:

- a. ☐ DEP BVW Field Data Form (attached)
- b. ☐ Other Methods for Determining the BVW boundary (attach documentation):
 1. ☐ 50% or more wetland indicator plants
 2. ☐ Saturated/inundated conditions exist
 3. ☐ Groundwater indicators
 4. ☐ Direct observation
 5. ☐ Hydric soil indicators
 6. ☐ Credible evidence of conditions prior to disturbance

3. Indicate if any other resource area(s) are delineated:

Resource Area(s):

a. _____ b. _____

C. Additional Information

Applicants must include the following with this Abbreviated Notice of Resource Area Delineation. See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☐ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☐ Plans identifying the boundaries of the Bordering Vegetated Wetlands (BVW) (and other resource areas, if applicable).
3. ☐ Other material identifying and explaining the determination of resource area boundaries shown on plans (e.g., a DEP BVW Field Data Form).
4. ☐ List the titles and final revision dates for all plans and other materials submitted with this Abbreviated Notice of Resource Area Delineation.



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Provided by DEP:

DEP File Number

Document Transaction Number

City/Town

D. Fees

The fees for work proposed under each Abbreviated Notice of Resource Area Delineation must be calculated and submitted to the Conservation Commission and the Department (see Instructions and ANRAD Wetland Fee Transmittal Form).

No fee shall be assessed for projects of the federal government, the Department, or cities and towns of the Commonwealth.

Applicants must submit the following information (in addition to the ANRAD Wetland Fee Transmittal Form) to confirm fee payment:

1. Municipal Check Number

2. Check date

3. State Check Number

4. Check date

5. Payor name on check: First Name

6. Payor name on check: Last Name

E. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Abbreviated Notice of Resource Area Delineation and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

I hereby grant permission, to the Agent or members of the Conservation Commission and the Department of Environmental Protection, to enter and inspect the area subject to this Notice at reasonable hours to evaluate compliance with any Order issued pursuant to this notice, and to require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date



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Provided by DEP:

DEP File Number

Document Transaction Number

City/Town

E. Signatures and Submittal Requirements (cont'd)

For Conservation Commission:

Two copies of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; two copies of pages 1 and 2 of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For DEP:

One copy of the completed Notice of Intent (Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a copy of the state fee payment must be sent to the DEP Regional Office (see Instructions) by certified mail or hand delivery. (E-filers may submit these electronically.)

Other:

If the applicant has checked the "yes" box in any part of Section C, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



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Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Applicant:

a. First Name _____ b. Last Name _____ c. Company _____
d. Mailing Address _____
e. City/Town _____ f. State _____ g. Zip Code _____
h. Phone Number _____

2. Property Owner (if different):

a. First Name _____ b. Last Name _____ c. Company _____
d. Mailing Address _____
e. City/Town _____ f. State _____ g. Zip Code _____
h. Phone Number _____

3. Project Location:

a. Street Address _____ b. City/Town _____

B. Fees

The fee is calculated as follows (check applicable project type):

- | | | | |
|---------------------------------------------------------|----------------------|------------------|------------------------------------------|
| 1. <input type="checkbox"/> single family house project | a. feet of BVW _____ | x \$2.00 = _____ | b. Total fee not to exceed \$200 _____ |
| 2. <input type="checkbox"/> all other projects | a. feet of BVW _____ | x \$2.00 = _____ | b. Total fee not to exceed \$2,000 _____ |

State share of filing fee:

3. 1/2 of total fee **less** \$12.50 _____

City/Town share of filing fee:

4. 1/2 of total fee **plus** \$12.50 _____



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C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Abbreviated Notice of Resource Area Delineation; a **copy** of pages 1 and 2 of this form; and the city/town fee payment.
- c.) **To DEP Regional Office** (see Instructions): Send the Abbreviated Notice of Resource Area Delineation; a **copy** of pages 1 and 2 of this form; and a **copy** of the state fee payment. (E-filers may submit these electronically.)